

MAR 03 2008

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

KIMBERLY TOWNES MOSES,)
on behalf of herself and as a)
representative of a class of similarly)
situated individuals,)
Plaintiff,)
v.)
SEARS, ROEBUCK AND COMPANY,)
Defendant.)

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED**
and **ADJUDGED** that defendant's motion to dismiss is **DENIED**. 

Enter: this third day of March, 2008.

~~UNITED STATES DISTRICT JUDGE~~